



Journal of the Senate

Number 7—Regular Session

Wednesday, March 27, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 4:00 p.m. A quorum present—37:

| | | |
|---------------|----------|----------|
| Mr. President | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |
| Galvano | Negron | |

Excused: Senators Bullard and Diaz de la Portilla

PRAYER

The following prayer was offered by Dr. William D. Shiell, Pastor, First Baptist Church, Tallahassee:

Almighty God, we acknowledge your presence with us, knowing it is only by your good creation that we can gather here with the freedoms and responsibilities that have been entrusted to us. We give you thanks for those who have willingly given their lives, resources, and time, so that we might carry out our responsibilities as citizens.

For each person who walks these hallowed halls as aides, public servants, interns, and senators, we thank you for the commitment they have made to our great state, the sacrifices personally and professionally that they have offered, and the calling that we all share to serve the common good. We ask for your protection and safety as you watch over the families and loved ones that remain home so they can be here today.

We come to you this day asking your blessing and wisdom. We admit that we don't always agree and that conflict and disagreement often bring about the best solutions. You are the source of all truth and life and the one who gives guidance and direction. We ask that these deliberations be civil, conversations edifying, and the decisions wise. Help us to keep in mind the highest calling of all, that after loving you, we may love

our neighbors as we love ourselves, so that with one mind and one voice we may continue the work you have given us to do. Amen.

PLEDGE

Senator Richter led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Lonnie Draper of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Draper specializes in Emergency Medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Garcia—

By Senator Garcia—

SR 1778—A resolution recognizing March 2013 as “Aaron Cohen Bike Safety Awareness Month” in Florida.

WHEREAS, the Centers for Disease Control and Prevention estimates that 4 percent of all motor vehicle crashes in Florida involve bicycles, with the total annual cost of bicyclist injury and death estimated at more than \$4 billion, and

WHEREAS, in 2011, more than 4,600 cyclists were seriously injured in traffic crashes on Florida roads and highways, with 120 cyclists killed, a 58 percent increase from 2010, and

WHEREAS, the 10 counties in Florida with the highest number of bicycle fatalities between 2006 and 2011 are Alachua, Broward, Duval, Hillsborough, Lee, Miami-Dade, Orange, Palm Beach, Pasco, and Pinellas, and Florida continues to rank among the top states in the nation for injury and fatality among bicyclists and pedestrians hit by cars, and

WHEREAS, on February 15, 2012, Aaron Cohen, a 36-year-old experienced cyclist and avid runner, was struck and killed in a hit-and-run accident on the Rickenbacker Causeway, which leads to Key Biscayne in Miami-Dade County, and

WHEREAS, Aaron Cohen is remembered by all who knew him as a loving husband to his wife, Patricia, and father to his two children, Lily and Aiden, and as a kind and compassionate friend to so many, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That we recognize March 2013 as “Aaron Cohen Bike Safety Awareness Month” in Florida.

—**SR 1778** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for SB 138—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing an appropriation; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 138**, on motion by Senator Brandes, by two-thirds vote **CS for HB 7003** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Education; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for HB 7003—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing for payment of annual dues for the compact; providing an effective date.

—a companion measure, was substituted for **CS for SB 138** and read the second time by title.

On motion by Senator Brandes, by two-thirds vote **CS for HB 7003** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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| Mr. President | Garcia | Negron |
| Altman | Gardiner | Richter |
| Bean | Gibson | Ring |
| Bradley | Grimsley | Sachs |
| Brandes | Hays | Simmons |
| Braynon | Hukill | Simpson |
| Clemens | Joyner | Smith |
| Dean | Latvala | Sobel |
| Detert | Lee | Soto |
| Evers | Legg | Stargel |
| Flores | Margolis | Thompson |
| Galvano | Montford | Thrasher |

Nays—None

Vote after roll call:

Yea—Benacquisto

CS for CS for SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; amending s. 456.013, F.S.; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waivers; limiting the time period a veteran can apply to 24 months after honorable discharge; amending s. 468.304, F.S.; requiring that the department waive the initial application fee for veterans who apply for a radiological personnel certification; requiring the department to prescribe the form of the fee waiver; limiting the time period a veteran can apply to 24 months after honorable discharge; excluding a specific fee from the waiver; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 160** was passed and certified to the House. The vote on passage was:

Yeas—36

| | | |
|---------------|----------|----------|
| Mr. President | Flores | Margolis |
| Altman | Galvano | Montford |
| Bean | Garcia | Negron |
| Benacquisto | Gardiner | Richter |
| Bradley | Gibson | Ring |
| Brandes | Grimsley | Sachs |
| Braynon | Hays | Simmons |
| Clemens | Hukill | Simpson |
| Dean | Joyner | Smith |
| Detert | Latvala | Sobel |
| Evers | Legg | Soto |

Stargel

Thompson

Thrasher

Nays—None

Vote after roll call:

Yea—Abruzzo, Lee

CS for SB 118—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 118**, on motion by Senator Benacquisto, by two-thirds vote **HB 15** was withdrawn from the Committees on Regulated Industries; Military and Veterans Affairs, Space, and Domestic Security; and Criminal Justice.

On motion by Senator Benacquisto, by two-thirds vote—

HB 15—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 118** and read the second time by title.

On motion by Senator Benacquisto, by two-thirds vote **HB 15** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

| | | |
|---------------|----------|----------|
| Mr. President | Galvano | Negron |
| Abruzzo | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |

Nays—None

CS for SB 286—A bill to be entitled An act relating to design professionals; amending s. 558.002, F.S.; redefining the term “design professional”; creating s. 558.0035, F.S.; specifying conditions under which a design professional employed by a business entity or an agent of the business entity may not be held individually liable for damages resulting from negligence occurring within the course and scope of a professional services contract; defining the term “business entity”; amending ss. 471.023, 472.021, 481.219, 481.319, and 492.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

Senator Soto moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (972536)—Delete lines 43 and 44 and insert: *liability insurance required under the contract;*

(e) *The contract includes a prominent statement, in uppercase font that is at least five point sizes larger than the rest of the text, disclosing whether the business entity currently maintains professional liability*

insurance and, if applicable, identifying the aggregate limit as well as the coverage limit per claim, per occurrence, or per project; and

(f) Any damages are solely economic in nature and the

On motion by Senator Negron, **CS for SB 286** was passed and certified to the House. The vote on passage was:

Yeas—37

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|---------------|----------|----------|
| Mr. President | Galvano | Richter |
| Abruzzo | Garcia | Ring |
| Altman | Gardiner | Sachs |
| Bean | Gibson | Simmons |
| Benacquisto | Grimsley | Simpson |
| Bradley | Hays | Smith |
| Brandes | Hukill | Sobel |
| Braynon | Latvala | Soto |
| Clemens | Lee | Stargel |
| Dean | Legg | Thompson |
| Detert | Margolis | Thrasher |
| Evers | Montford | |
| Flores | Negron | |

Nays—1

Joyner

SB 1766—A bill to be entitled An act relating to driver licenses; amending s. 322.04, F.S.; revising requirements relating to exemptions from licensure requirements for nonresidents; deleting a requirement that residents of foreign countries hold an International Driving Permit to be exempt; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1766**, on motion by Senator Brandes, by two-thirds vote **HB 7059** was withdrawn from the Committee on Community Affairs.

On motion by Senator Brandes, by two-thirds vote—

HB 7059—A bill to be entitled An act relating to driver licensing; amending s. 322.04, F.S.; revising provisions for exemption from obtaining a driver license issued by this state; removing a requirement that certain nonresidents possess an International Driving Permit; providing that a nonresident of a certain age possessing a valid non-commercial driver license issued outside this state may operate a non-commercial motor vehicle in this state; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **SB 1766** and read the second time by title.

On motion by Senator Brandes, by two-thirds vote **HB 7059** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

| | | |
|---------------|----------|----------|
| Mr. President | Galvano | Negron |
| Abruzzo | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |

Nays—None

CS for SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; specifying that the standard for reunification from “endangerment” to “the best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 164**, on motion by Senator Detert, by two-thirds vote **CS for HB 215** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Judiciary.

On motion by Senator Detert, by two-thirds vote—

CS for HB 215—A bill to be entitled An act relating to dependent children; providing a short title; creating s. 39.4091, F.S.; providing legislative findings and intent; providing definitions; providing for participation in age-appropriate extracurricular, enrichment, and social activities by children in out-of-home care; providing for use of a reasonable and prudent parent standard for decisionmaking about such activities; providing rulemaking authority; amending s. 39.522, F.S.; clarifying the standard for reunification and for changing custody; amending s. 409.1451, F.S.; providing for use of reasonable and prudent parent standard in certain decisionmaking; requiring submission of plan for judicial review; providing a definition; providing rulemaking authority; providing an effective date.

—a companion measure, was substituted for **CS for SB 164** and read the second time by title.

On motion by Senator Detert, by two-thirds vote **CS for HB 215** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

| | | |
|---------------|----------|----------|
| Mr. President | Galvano | Negron |
| Abruzzo | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |

Nays—None

CS for SB 224—A bill to be entitled An act relating to the Florida Small Business Development Center Network; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network’s statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assess-

ments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 224** was passed and certified to the House. The vote on passage was:

Yeas—37

| | | |
|---------------|----------|----------|
| Mr. President | Galvano | Richter |
| Abruzzo | Garcia | Ring |
| Altman | Gardiner | Sachs |
| Bean | Gibson | Simmons |
| Benacquisto | Grimsley | Simpson |
| Bradley | Hays | Smith |
| Brandes | Hukill | Sobel |
| Braynon | Joyner | Soto |
| Clemens | Latvala | Stargel |
| Dean | Lee | Thompson |
| Detert | Margolis | Thrasher |
| Evers | Montford | |
| Flores | Negron | |

Nays—None

Vote after roll call:

Yea—Legg

CS for CS for SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; requiring an affidavit; requiring the Department of Highway Safety and Motor Vehicles to issue a decal; providing specifications for the decal; providing for a fee; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 62** was passed and certified to the House. The vote on passage was:

Yeas—38

| | | |
|---------------|----------|----------|
| Mr. President | Detert | Joyner |
| Abruzzo | Evers | Latvala |
| Altman | Flores | Lee |
| Bean | Galvano | Legg |
| Benacquisto | Garcia | Margolis |
| Bradley | Gardiner | Montford |
| Brandes | Gibson | Negron |
| Braynon | Grimsley | Richter |
| Clemens | Hays | Ring |
| Dean | Hukill | Sachs |

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| Simmons | Sobel | Thompson |
| Simpson | Soto | Thrasher |
| Smith | Stargel | |

Nays—None

Consideration of **SB 352** and **CS for SB 322** was deferred.

SB 520—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting a requirement that emergency medical technicians, paramedics, and 911 public safety telecommunications complete an educational course on HIV and AIDS; amending s. 401.23, F.S.; redefining the terms “basic life support” and “advanced life support” for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; revising the period for review of the comprehensive state plan for emergency medical services and programs; amending s. 401.27, F.S.; revising requirements for the certification and recertification of emergency medical technicians and paramedics; revising requirements for the certification of emergency medical technicians and paramedics trained outside the state; revising the time limit by which applicants trained outside the state must complete the certification examination without having to submit a new application and meet all eligibility and fee requirements; amending s. 401.2701, F.S.; revising requirements for institutions that conduct approved programs for the education of emergency medical technicians and paramedics; revising requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **SB 520** was passed and certified to the House. The vote on passage was:

Yeas—38

| | | |
|---------------|----------|----------|
| Mr. President | Galvano | Negron |
| Abruzzo | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |

Nays—None

SB 1764—A bill to be entitled An act relating to transparency in government spending; amending s. 215.985, F.S.; adding a definition; requiring the Executive Office of the Governor to establish a single website providing access to other websites; revising provisions relating to the establishment of a website relating to the approved operating budget; requiring the office to establish a website providing information about fiscal planning for the state and specifying the information to be included on the website; requiring the Department of Management Services to maintain a website that provides current information on state employees and officers; revising provisions requiring the Legislative Auditing Committee to provide recommendations to the Legislature about adding other information to a website; requiring website managers to provide information about the cost of creating and maintaining each website; revising provisions relating to access to the state contract management system to require that such information be accessible through a website; requiring state agencies to post certain information on the system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; providing procedures for removing such information from the system; authorizing the Chief Financial Officer to make certain information available on a website for viewing and

downloading by the public and providing guidelines for regulation of such website; providing applicability of public record requests for information posted on the website; authorizing the Chief Financial Officer to adopt rules; creating the User Experience Task Force to develop and recommend a design for consolidating existing state-managed websites; providing for membership; providing for staffing; requiring reports; providing for expiration; providing for an appropriation; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Latvala, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Latvala moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (519426) (with title amendment)—Delete line 394 and insert:

(f) *The requirement under paragraphs (a) and (b) that each agency post information and documentation relating to contracts on the tracking system does not apply to any record that could reveal attorney work product or strategy.*

(g) *The Chief Financial Officer may adopt rules to*

And the title is amended as follows:

Delete line 33 and insert: information posted on the website; providing an exemption; authorizing the

On motion by Senator Ring, **SB 1764** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

| | | |
|---------------|----------|----------|
| Mr. President | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |
| Galvano | Negron | |

Nays—None

Vote after roll call:

Yea—Abruzzo

SPECIAL ORDER CALENDAR

On motion by Senator Latvala—

CS for CS for SB 328—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (931752) (with title amendment)—Between lines 78 and 79 insert:

Section 4. Subsection (3) of section 473.313, Florida Statutes, is amended to read:

473.313 Inactive status.—

(3) A license that ~~is has become~~ delinquent for failure to report completion of the requirements in s. 473.312 may be reactivated under s. 473.311 upon application to the department. Reactivation requires the payment of an application fee as determined by the board and certification by the Florida certified public accountant that the applicant satisfactorily completed the continuing education requirements set forth under s. 473.311. If the license is delinquent on ~~January 1~~ ~~December 31~~ because of failure to report completed continuing education requirements, the applicant must submit a complete application to the board by March 15 immediately after the delinquent period.

And the title is amended as follows:

Delete line 14 and insert: review program by a certain date; amending s. 473.313, F.S.; revising license delinquency dates; providing an

Pursuant to Rule 4.19, **CS for CS for SB 328** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

SB 244—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 244** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 278—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s.

463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term "licensed practitioner" to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term "practitioner" to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term "health care practitioner" to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 278** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

SB 558—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 558** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 298** was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising "Notice to Defendant" provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiffs or the garnishee's attorney; extending the time allowed for the plaintiff or the plaintiff's attorney to respond to the defendant's claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff's attorney when the plaintiff's attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to

certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 592** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 318** was deferred.

CS for SB 1096—A bill to be entitled An act relating to the repeal of education provisions; amending s. 403.7032, F.S.; removing a requirement that each K-12 public school annually report to the county on recycled materials; repealing s. 1001.26(3), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1001.435, F.S., relating to a K-12 foreign language curriculum plan; repealing s. 1002.23(4), (6), and (9), F.S., relating to a parent-response center, submission of family involvement and empowerment rules by district school boards, and State Board of Education compliance review and enforcement under the Family and School Partnership for Student Achievement Act; repealing s. 1002.32(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1002.361, F.S., relating to a direct-support organization for the Florida School for the Deaf and the Blind; repealing s. 1002.375, F.S., relating to a pilot project to award alternative credit for high school courses; repealing s. 1003.4285(1), F.S., relating to a standard high school diploma designation that indicates a student's major area of interest; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; repealing s. 1003.433(5), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1003.453(2), F.S., relating to information on school wellness and physical education policies posted on Department of Education and school district websites; repealing s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program; repealing s. 1004.05, F.S., relating to substance abuse training programs for specified public school personnel; amending s. 1004.435, F.S.; removing duplicative, redundant, or unused rulemaking authority; amending s. 1004.45, F.S.; removing unnecessary rulemaking authority; repealing s. 1004.62, F.S., relating to incentives for state university student internships to study urban or socially and economically disadvantaged areas; repealing s. 1004.77, F.S., relating to centers of technology innovation; repealing s. 1006.02, F.S., relating to provision of information to students and parents regarding school-to-work transition; repealing s. 1006.035, F.S., relating to a dropout reentry and mentor project; repealing s. 1006.051, F.S., relating to the Sunshine Workforce Solutions Grant Program; repealing s. 1006.09(1)(d), F.S., relating to duties of school principals with respect to annual reporting and analysis of student suspensions and expulsions; repealing ss. 1006.17 and 1006.70, F.S., relating to sponsorship of athletic activities similar to those for which scholarships are offered; repealing s. 1006.65, F.S., relating to safety issues in courses offered by public postsecondary educational institutions; repealing s. 1007.21, F.S., relating to readiness for postsecondary education and the workplace; repealing s. 1007.35(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1008.31(3)(d) and (e), F.S., relating to review and reporting duties of the Commissioner of Education with respect to consolidating paperwork under Florida's K-20 education performance accountability system; repealing s. 1009.68, F.S., relating to the Florida Minority Medical Education Program; amending s. 1009.85, F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1012.58, F.S., relating to the Transition to Teaching Program; repealing s. 1012.71(6), F.S., relating to a pilot program for establishing an electronic management system for the Florida Teachers Lead Program; repealing s. 1013.231, F.S., relating to Florida College System institution and state university energy consumption reduction; repealing s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys; repealing ss. 1013.42 and 1013.72, F.S., relating to the School Infrastructure Thrift (SIT) Program; repealing ss. 1013.502 and 1013.721, F.S., relating to A Business-Community (ABC) School Program; repealing s. 1013.64(7), F.S., relating to exceptions from Special Facility Construction Account requirements; repealing s. 1013.73, F.S., relating to effort index grants for school district facilities; amending ss. 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34, 1002.45,

1003.03, 1003.429, 1003.438, 1003.49, 1004.70, 1004.71, 1006.025, 1006.15, 1007.263, 1007.271, 1008.22, 1008.23, 1009.40, 1009.531, 1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738, F.S.; conforming provisions; providing effective dates.

—was read the second time by title. On motions by Senator Montford, by two-thirds vote **CS for SB 1096** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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|---------------|----------|----------|
| Mr. President | Galvano | Negron |
| Abruzzo | Garcia | Richter |
| Altman | Gardiner | Ring |
| Bean | Gibson | Sachs |
| Benacquisto | Grimsley | Simmons |
| Bradley | Hays | Simpson |
| Brandes | Hukill | Smith |
| Braynon | Joyner | Sobel |
| Clemens | Latvala | Soto |
| Dean | Lee | Stargel |
| Detert | Legg | Thompson |
| Evers | Margolis | Thrasher |
| Flores | Montford | |

Nays—None

On motion by Senator Joyner—

SB 628—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 628** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 492—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; providing for retroactive application; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveat to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator's date of death or the last four digits of the testator's social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 492** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

SB 230—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 230** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 954—A bill to be entitled An act relating to the Technological Research and Development Authority; amending s. 320.08058, F.S.; deleting provisions for distribution by the Department of Highway Safety and Motor Vehicles to the authority of Challenger/Columbia license plate user fees; conforming provisions; amending s. 379.2202, F.S.; deleting provisions for distribution by the Fish and Wildlife Conservation Commission to the authority of saltwater license and permit fees; amending s. 112.3148, F.S., relating to giving gifts to certain officers or candidates for office and to procurement employees; deleting reference to the authority; providing contingent effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 954** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 166** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it

was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 120** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

SB 452—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public records requirements for personal identifying information of a donor held in the Joshua Abbott Organ and Tissue Registry; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 452** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 60—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 60** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

CS for SB 530—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the “Florida Arbitration Code” to the “Revised Florida Arbitration Code”; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending

resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term “court” and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the

revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the revised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 731.401, F.S.; providing for application of the act to an arbitration provision in a will or trust; amending ss. 440.1926 and 489.1402, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 530** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (830600) (with title amendment)—Delete lines 17-54 and insert:

(a) The district school board shall hold not less than one regular meeting each month for the transaction of business according to a schedule arranged by the district school board. *The district school board shall convene at least one regular meeting each quarter within a school year during the evening hours. The district school board shall create written criteria for deciding when to convene a quarterly meeting during the evening hours. A district school board is deemed to be in compliance with this paragraph if it maintains, and operates in accordance with, a policy that requires the portion of a regular meeting which is open to public comment to begin no earlier than 4:30 p.m.*

(b) ~~The district school board and shall convene in a special meeting sessions when called by the district school superintendent or by the district school superintendent on request of the chair of the district school board, or on request of a majority of the members of the district school board. An action, provided that actions taken at a special meeting has meetings shall have the same force and effect as if taken at a regular meeting, and; and provided further that in the event the district school superintendent should fail to call a special meeting when requested to do so, as prescribed herein, such a meeting may be called by the chair of the district school board or by a majority of the members of the district school board by giving 2 days' written notice of the time and purpose of the meeting to all members and to the district school superintendent, in which event the minutes of the meeting must shall set forth the facts regarding the procedure in calling the meeting and the reason the meeting was called. The minutes must therefor and shall be signed either by the chair or by a majority of the members of the district school board.~~

And the title is amended as follows:

Delete line 9 and insert: circumstances; deleting a provision regarding a special meeting; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 134** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

CS for SB 284—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 284** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 294—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; reenacting and amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; reenacting to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting s. 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 294** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 326—A bill to be entitled An act relating to the powers and duties of the Department of Environmental Protection; amending s. 253.7827, F.S.; removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing s. 253.783(2), F.S., relating to additional powers and duties of the department to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 326** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

SB 338—A bill to be entitled An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 338** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 342** was deferred.

On motion by Senator Thrasher—

CS for SB 354—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 354** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 364—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 364** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 372—A bill to be entitled An act relating to vehicle permits for the transportation of alcoholic beverages; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business in vehicles owned or leased by any person who has been disclosed on a license application filed by the vendor and approved by the Division of Alcoholic Beverages and Tobacco of the Department and Business and Professional Regulation; revising permit requirements for such vehicles; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; amending s. 562.07, F.S.; revising an exception to the illegal transportation of beverages; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 372** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 422—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Benacquisto, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Benacquisto and Bean offered the following amendment which was moved by Senator Benacquisto and adopted:

Amendment 1 (448130) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Cancer Treatment Fairness Act.”*

Section 2. Section 627.42391, Florida Statutes, is created to read:

627.42391 Cancer treatment parity; orally administered cancer treatment medications.—

(1) *As used in this section, the term:*

(a) *“Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.*

(b) *“Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.*

(2) *Beginning January 1, 2014, an individual or group insurance policy, including a policy issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the policy.*

(3) *An insurer that provides a policy described in subsection (2), and any participating entity through which the insurer offers health services, may not:*

(a) *Vary the terms of a policy in effect on July 1, 2013, in order to avoid compliance with this section.*

(b) *Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.*

(c) *Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.*

(d) *Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.*

(e) *Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.*

Section 3. Section 641.313, Florida Statutes, is created to read:

641.313 Cancer treatment parity; orally administered cancer treatment medications.—

(1) *As used in this section, the term:*

(a) *“Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.*

(b) *“Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.*

(2) *Beginning January 1, 2014, a health maintenance contract, including a contract issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the contract.*

(3) *A health maintenance organization that provides a contract described in subsection (2), and any participating entity through which the health maintenance organization offers health services, may not:*

(a) *Vary the terms of a contract in effect on July 1, 2013, in order to avoid compliance with this section.*

(b) *Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.*

(c) *Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.*

(d) *Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.*

(e) *Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.*

Section 4. Subsection (2) of section 627.6515, Florida Statutes, is amended to read:

627.6515 Out-of-state groups.—

(2) Except as otherwise provided in this part, this part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:

(a) The policy is issued to an employee group the composition of which is substantially as described in s. 627.653; a labor union group or association group the composition of which is substantially as described in s. 627.654; an additional group the composition of which is substantially as described in s. 627.656; a group insured under a blanket health policy when the composition of the group is substantially in compliance with s. 627.659; a group insured under a franchise health policy when the composition of the group is substantially in compliance with s. 627.663; an association group to cover persons associated in any other common group, which common group is formed primarily for purposes other than providing insurance; a group that is established primarily for the purpose of providing group insurance, provided the benefits are reasonable in relation to the premiums charged thereunder and the issuance of the group policy has resulted, or will result, in economies of administration; or a group of insurance agents of an insurer, which insurer is the policyholder;

(b) Certificates evidencing coverage under the policy are issued to residents of this state and contain in contrasting color and not less than 10-point type the following statement: “The benefits of the policy pro-

viding your coverage are governed primarily by the law of a state other than Florida”; and

(c) The policy provides the benefits specified in ss. 627.419, 627.42391, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911, and complies with the requirements of s. 627.66996.

(d) Applications for certificates of coverage offered to residents of this state must contain, in contrasting color and not less than 12-point type, the following statement on the same page as the applicant’s signature:

“This policy is primarily governed by the laws of insert state where the master policy is filed. As a result, all of the rating laws applicable to policies filed in this state do not apply to this coverage, which may result in increases in your premium at renewal that would not be permissible under a Florida-approved policy. Any purchase of individual health insurance should be considered carefully, as future medical conditions may make it impossible to qualify for another individual health policy. For information concerning individual health coverage under a Florida-approved policy, consult your agent or the Florida Department of Financial Services.”

This paragraph applies only to group certificates providing health insurance coverage which require individualized underwriting to determine coverage eligibility for an individual or premium rates to be charged to an individual except for the following:

1. Policies issued to provide coverage to groups of persons all of whom are in the same or functionally related licensed professions, and providing coverage only to such licensed professionals, their employees, or their dependents;

2. Policies providing coverage to small employers as defined by s. 627.6699. Such policies shall be subject to, and governed by, the provisions of s. 627.6699;

3. Policies issued to a bona fide association, as defined by s. 627.6571(5), provided that there is a person or board acting as a fiduciary for the benefit of the members, and such association is not owned, controlled by, or otherwise associated with the insurance company; or

4. Any accidental death, accidental death and dismemberment, accident-only, vision-only, dental-only, hospital indemnity-only, hospital accident-only, cancer, specified disease, Medicare supplement, products that supplement Medicare, long-term care, or disability income insurance, or similar supplemental plans provided under a separate policy, certificate, or contract of insurance, which cannot duplicate coverage under an underlying health plan, coinsurance, or deductibles or coverage issued as a supplement to workers’ compensation or similar insurance, or automobile medical-payment insurance.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013, and applies to policies and contracts issued or renewed on or after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 422** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

CS for SB 434—A bill to be entitled An act relating to Brevard Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as “Eastern Florida State College”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 434** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

SB 746—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 746** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

SB 342—A bill to be entitled An act relating to the rental of homestead property; amending s. 196.061, F.S.; revising criteria under which rental of such property is allowed for tax exemption purposes and not considered abandoned; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 342** was placed on the calendar of Bills on Third Reading.

SM 1266—A memorial to the President and the Congress of the United States, urging them to award the Congressional Gold Medal to the United States 65th Infantry Regiment, the Borinqueneers.

WHEREAS, the United States 65th Infantry Regiment, the Borinqueneers, traces its lineage to the “Puerto Rican Regiment U.S. Volunteers,” which was authorized by Congress on March 2, 1899, as a mounted battalion consisting of four companies, and

WHEREAS, after Puerto Rico patriotically requested that the selective service draft law be extended to Puerto Rico as the United States entered the conflict in World War I, the Borinqueneers rallied a force of nearly 2,000, defending the Panama Canal, firing on the German supply ship Odenwald from El Morro Castle in Puerto Rico, and fighting valiantly on a number of fronts for liberty, and

WHEREAS, during World War II, the Borinqueneers gallantly served in North Africa and Europe, winning the Naples-Foggian, Rome-Arne, Central Europe, and Rhineland battle campaign awards, and, after the war, were assigned dangerous security, anti-sabotage, and other occupation missions around Kaiserslautern and Mannheim, Germany, making them one of the last units to return home at war’s end, and

WHEREAS, during the Korean War, some 61,000 Puerto Rican soldiers served with the United States Army, 6,000 of them with the Borinqueneers, which, again, covered themselves in glory, distinguishing themselves over a 3-year period with nine Korean battle campaign awards, the Presidential and Meritorious Unit commendations, two Korean Presidential Unit citations, the Greek Gold Medal, the , and many other awards for bravery, and launching the last regimental bayonet assault in United States Army history, and

WHEREAS, the Borinqueneers were awarded nine battle campaign awards for bravery between 1950 and 1953 and, in World War I, World War II, and the Korean War, combined, were awarded ten Distinguished Service Crosses, 258 Silver Stars, 628 Bronze Stars, more than 2,700 Purple Hearts, and many other individual awards, and

WHEREAS, legendary United States Army General Douglas MacArthur lauded the gallantry of the Borinqueneers, crediting them with a resolute will to victory and invincible loyalty to the United States, saying, “They write a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them!,” and

WHEREAS, in 1959, the Borinqueneers passed their colors to the National Guard of the United States Territory of Puerto Rico, the only time in United States Army History that active unit colors were not retired, but, instead, turned over to a National Guard unit, and

WHEREAS, today, the legacy of the Borinqueneers lives on in the National Guard in Puerto Rico, which continues to bravely defend the United States in the ongoing War on Terrorism, and

WHEREAS, many of those who returned to civilian life after serving with the Borinqueneers have gone on to serve in leadership positions as respected businessmen, corporate executives, religious leaders, lawyers, doctors, educators, bankers, and political leaders, and

WHEREAS, the Borinqueneers selflessly served and sacrificed, shedding blood for our democracy and helping to ensure our prosperity as they, themselves, faced segregation, discrimination, and unequal American citizenship, always loyally protecting our nation and nobly fighting for the good of all, and

WHEREAS, these brave warriors, the Borinqueneers, deserve a place with all American heroes, and should be honored, commended, and never forgotten for their epic feats, and

WHEREAS, the Congressional Gold Medal, along with the Presidential Medal of Freedom, is the highest civilian award in the , awarded to persons who have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient’s field long after the achievement, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That, in recognition of the bravery and sacrifice of the United States 65th Infantry Regiment, the Borinqueneers, we urge the President and the Congress of the United States to award the Congressional Gold Medal to these true heroes and defenders of our great nation.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, to the Puerto Rico Resident Commissioner, to the President of the United States 65th Infantry Regiment Association, the chairman of the Hispanic Achievers Grant Council, and the chairman of the Borinqueneer Congressional Gold Medal Alliance.

—was read the second time by title.

MOTION

On motion by Senator Soto, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Soto moved the following amendment which was adopted:

Amendment 1 (123664)—Delete lines 7-90 and insert:

WHEREAS, the Borinqueneers trace their lineage to the “Puerto Rico Regiment of Volunteer Infantry,” authorized by Congress on March 2, 1899, as the first body of native troops in Puerto Rico, the only Hispanic-segregated unit in the United States Armed Forces that played a prominent role in American military history, and

WHEREAS, during World War I, the Borinqueneers rallied a force of over 1,500 to defend the Panama Canal, and upon their return to Puerto Rico were renamed “The 65th Infantry Regiment,” and

WHEREAS, during World War II, the Borinqueneers served in North Africa and Europe, winning Naples-Foggia, Rome-Arno, Central Europe, and Rhineland battle campaign awards; and were assigned security, anti-sabotage, and other occupation missions around Kaiserslautern and Mannheim, Germany after the war, and

WHEREAS, during the Korean War, the Borinqueneers were the only all-Hispanic unit; joined the United States 3rd Infantry Division to be among the first infantry to engage in battle with North Korean troops; served with distinction to earn 4 Distinguished Service Crosses, 124 Silver Stars, 9 Korean battle campaign awards, the Presidential and Meritorious Unit Commendations, 2 Korean Presidential Unit Citations, and the Greek Gold Medal for Bravery; and are credited with launching the last recorded battalion-sized bayonet assault in United States Army history, and

WHEREAS, legendary United States Army General Douglas MacArthur lauded the Borinqueneers, crediting them with a resolute will to victory and loyalty to the United States, saying, “They are writing a brilliant record of heroism in battle and I am indeed proud to have them under my command. I wish that we could count on many more like them,” and

WHEREAS, in 1959, the Borinqueneers passed their colors to the National Guard of the United States Territory of Puerto Rico, withdrawing from the Regular Army, the only time in United States Army history that active unit colors were not retired, but, instead, turned over to a National Guard unit, and

WHEREAS, today, the legacy of the Borinqueneers lives on in the National Guard in Puerto Rico, which continues to defend the United States in the ongoing War on Terrorism, and

WHEREAS, the Borinqueneers served and sacrificed, shedding blood for our democracy and helping to ensure our prosperity as they faced segregation and discrimination, protecting our nation and fighting for the good of all, and

WHEREAS, these warriors, the Borinqueneers, deserve a place with all American heroes, and should be honored, commended, and never forgotten for their feats, and

WHEREAS, the Congressional Gold Medal is the highest civilian award given by the United States Congress, awarded as an expression of

public gratitude on behalf of the nation for distinguished contributions, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That, in recognition of the bravery and sacrifice of the United States 65th Infantry Regiment, the Borinqueneers, the President and the Congress of the United States are urged to award the Congressional Gold Medal to these true heroes and defenders of our great nation.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, to the Puerto Rico Resident Commissioner, to the President of the United States 65th Infantry Regiment Association, the chairman of the Hispanic Achievers Grant Council, the chairman of the Borinqueneers Congressional Gold Medal Alliance, and the National Association for Uniformed Services.

On motion by Senator Soto, **SM 1266** as amended was adopted, ordered engrossed and then certified to the House.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SM 1266**.

The vote was:

Yeas—37

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|---------------|----------|----------|
| Mr. President | Garcia | Richter |
| Abruzzo | Gardiner | Ring |
| Altman | Gibson | Sachs |
| Bean | Grimsley | Simmons |
| Benacquisto | Hays | Simpson |
| Bradley | Hukill | Smith |
| Brandes | Joyner | Sobel |
| Braynon | Latvala | Soto |
| Clemens | Lee | Stargel |
| Dean | Legg | Thompson |
| Detert | Margolis | Thrasher |
| Evers | Montford | |
| Galvano | Negron | |

Nays—None

On motion by Senator Hays—

CS for SB 56—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medicolegal investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (526840)—Delete line 105 and insert: Training Commission, shall develop and adopt and modify when necessary, by rule,

Pursuant to Rule 4.19, **CS for SB 56** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 718—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.075, F.S.; redefining the term “marital assets and liabilities” for purposes of equitable distribution in dissolution of marriage actions; providing that the term includes the paydown of principal of notes and mortgages secured by nonmarital real property and certain passive appreciation in such property under certain circumstances; providing formulas and guidelines for determining the amount of such passive appreciation; requiring security and interest relating to the installment payment of such assets; providing exceptions; permitting the court to provide written findings regarding any installment payments; amending s. 61.08, F.S.; defining terms; providing for the priority of bridge-the-gap alimony, followed by rehabilitative alimony, over any other form; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; providing for retirement of a party against whom alimony is sought; providing for imputation of income to the obligor or obligee in certain circumstances; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.13, F.S.; establishing a presumption that it is in the best interest of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing prospective applicability of the presumption; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that an obligor's subsequent remarriage or cohabitation is not a basis for modification of alimony; providing that income and assets of obligor's subsequent spouse or person with whom the obligor is residing are generally not relevant to modification; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for temporary orders necessary to protect the parties and their children; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing an exception; providing allowable dates for the modification of such awards; providing an effective date.

—was read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (203644)—Delete lines 345-372 and insert:

(8)(a) *There is a rebuttable presumption against awarding alimony for a short-term marriage. A party seeking bridge-the-gap or rehabilitative alimony may overcome this presumption by demonstrating by a preponderance of the evidence a need for alimony. A party seeking durational alimony may overcome this presumption by demonstrating by clear and convincing evidence a need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony which may not exceed 20 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

(b) *There is no presumption in favor of either party to an award of alimony for a mid-term marriage. A party seeking such alimony must prove by a preponderance of the evidence a need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly alimony obligation that may not exceed 30 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

(c) *There is a rebuttable presumption in favor of awarding alimony for a long-term marriage. A party against whom alimony is sought may overcome this presumption by demonstrating by clear and convincing evidence that there is no need for alimony. If the court finds that the party against whom alimony is sought fails to meet its burden to demonstrate that there is no need for alimony and that the party has the ability to pay alimony, the court shall determine a monthly alimony obligation that may not exceed 33 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Joyner moved the following amendments which were adopted:

Amendment 2 (845072)—Delete lines 190-193 and insert:

(c) *“Mid-term marriage” means a marriage having a duration of more than 10 years but less than 20 years, as measured from the date of marriage to the date of filing the petition for dissolution.*

Amendment 3 (687286)—Delete lines 707-712 and insert: *the filing of the petition. In an action under this section, if it is determined that the obligee or obligor unnecessarily or unreasonably litigated the underlying petition for modification or termination, the court may award the other party his or her reasonable attorney fees and costs pursuant to s. 61.16 and applicable case law.*

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Joyner moved the following amendment which failed:

Amendment 4 (758408)—Delete line 213 and insert: *the recipient to achieve rehabilitation or to provide support for a spouse who is mentally or physically unable to be rehabilitated.*

MOTION

On motion by Senator Soto, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Soto moved the following amendment which was adopted:

Amendment 5 (213372) (with title amendment)—Between lines 755 and 756 insert:

Section 8. Paragraphs (a) and (b) of subsection (11) of section 61.30, Florida Statutes, are amended to read:

61.30 Child support guidelines; retroactive child support.—

(11)(a) The court may adjust the total minimum child support award, or either or both parents' share of the total minimum child support award, based upon the following deviation factors:

1. Extraordinary medical, psychological, educational, or dental expenses.
2. Independent income of the child, not to include moneys received by a child from supplemental security income.
3. The payment of support for a parent which has been regularly paid and for which there is a demonstrated need.
4. Seasonal variations in one or both parents' incomes or expenses.
5. The age of the child, taking into account the greater needs of older children.
6. Special needs, such as costs that may be associated with the disability of a child, that have traditionally been met within the family budget even though fulfilling those needs will cause the support to exceed the presumptive amount established by the guidelines.
7. Total available assets of the obligee, obligor, and the child.

8. The impact of the Internal Revenue Service Child & Dependent Care Tax Credit, Earned Income Tax Credit, and dependency exemption and waiver of that exemption. The court may order a parent to execute a waiver of the Internal Revenue Service dependency exemption if the paying parent is current in support payments.

9. An application of the child support guidelines schedule that requires a person to pay another person more than 55 percent of his or her gross income for a child support obligation for current support resulting from a single support order.

10. The particular parenting plan, *court-ordered time-sharing schedule, or particular time-sharing schedule exercised by agreement of the parties*, such as where the child spends a significant amount of time, but less than 20 percent of the overnights, with one parent, thereby reducing the financial expenditures incurred by the other parent; or the refusal of a parent to become involved in the activities of the child.

11. Any other adjustment that is needed to achieve an equitable result which may include, but not be limited to, a reasonable and necessary existing expense or debt. Such expense or debt may include, but is not limited to, a reasonable and necessary expense or debt that the parties jointly incurred during the marriage.

(b) Whenever a particular parenting plan, *court-ordered time-sharing schedule, or particular time-sharing schedule exercised by agreement of the parties* provides that each child spend a substantial amount of time with each parent, the court shall adjust any award of child support, as follows:

1. In accordance with subsections (9) and (10), calculate the amount of support obligation apportioned to each parent without including day care and health insurance costs in the calculation and multiply the amount by 1.5.
2. Calculate the percentage of overnight stays the child spends with each parent.
3. Multiply each parent's support obligation as calculated in subparagraph 1. by the percentage of the other parent's overnight stays with the child as calculated in subparagraph 2.
4. The difference between the amounts calculated in subparagraph 3. shall be the monetary transfer necessary between the parents for the care of the child, subject to an adjustment for day care and health insurance expenses.

5. Pursuant to subsections (7) and (8), calculate the net amounts owed by each parent for the expenses incurred for day care and health insurance coverage for the child.

6. Adjust the support obligation owed by each parent pursuant to subparagraph 4. by crediting or debiting the amount calculated in subparagraph 5. This amount represents the child support which must be exchanged between the parents.

7. The court may deviate from the child support amount calculated pursuant to subparagraph 6. based upon the deviation factors in paragraph (a), as well as the obligee parent's low income and ability to maintain the basic necessities of the home for the child, the likelihood that either parent will actually exercise the time-sharing schedule set forth in the parenting plan granted by the court, and whether all of the children are exercising the same time-sharing schedule.

8. For purposes of adjusting any award of child support under this paragraph, "substantial amount of time" means that a parent exercises time-sharing at least 20 percent of the overnights of the year.

And the title is amended as follows:

Delete line 80 and insert: children; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; providing for retroactive application of the

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Joyner moved the following amendment:

Amendment 6 (768170)—Delete line 262 and insert: *the marriage unless it is proven by clear and convincing evidence that the income available to either party and the assets relied upon during the marriage assets are not sufficient to provide support for both parties, then the court may consider assets that were not relied upon during the marriage.*

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Joyner moved the following amendment to **Amendment 6** which failed:

Amendment 6A (161066)—Delete line 5 and insert: *the marriage unless it is proven by a preponderance of the*

The question recurred on **Amendment 6** which was adopted.

MOTION

On motion by Senator Joyner, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Joyner moved the following amendments which were adopted:

Amendment 7 (279768)—Delete lines 196-199 and insert:

(e) "*Short term marriage*" means a marriage having a duration equal to or less than 10 years, as measured from the date of the marriage to the date of filing the petition for dissolution.

Amendment 8 (349320)—Delete lines 635-637 and insert: *permanently increased ability to pay alimony. An increase in an obligor's income may not*

Pursuant to Rule 4.19, **CS for CS for SB 718** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Evelyn Lynn who was present in the chamber.

Consideration of **CS for CS for SB 878** was deferred.

MOTIONS

On motion by Senator Negron, portions of Senate Rule 2.39 were waived and the following deadlines and policies were applied to **SB 1500** and **SB 1502** on the Special Order Calendar to be considered on Wednesday, April 10, 2013:

- The deadline for filing main amendments to the general appropriations and implementing bills is 1:30 p.m., Monday, April 8, 2013.
- The deadline for filing amendments to amendments and substitute amendments for amendments to the general appropriations and implementing bills is 1:30 p.m., Tuesday, April 9, 2013.
- The amendment deadline for all other bills, including the conforming bills for the budget, on the Special Order Calendar for Wednesday, April 10, 2013, will be governed by Rule 7.1, as usual.

On motion by Senator Thrasher, by two-thirds vote **CS for SB 1096** and **HB 7059** were ordered immediately certified to the House.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 27, 2013: CS for CS for SB 328, SB 244, CS for CS for SB 278, SB 558, CS for SB 298, CS for SB 592, SB 318, CS for SB 1096, SB 628, CS for CS for SB 492, SB 230, SB 954, CS for CS for SB 166, CS for CS for SB 120, SB 452, CS for SB 60, CS for SB 530, CS for CS for SB 134, CS for SB 284, CS for SB 294, SB 326, SB 338, SB 342, CS for SB 354, CS for SB 364, CS for CS for SB 372, CS for SB 422, CS for SB 434, SB 746, SM 1266, CS for SB 56, CS for CS for SB 718, CS for CS for SB 878.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Transportation recommends a committee substitute for the following: SB 1342

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 682

The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1104

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 504; CS for CS for SB 676; SB 788; SB 1330; SB 1464

Appropriations Subcommittee on Education recommends the following pass: CS for SB 1108

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 94

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Environmental Preservation and Conservation—

SB 1806—A bill to be entitled An act relating to total maximum daily loads; amending s. 403.067, F.S.; exempting total maximum daily load rules from legislative ratification; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

By the Committee on Environmental Preservation and Conservation—

SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement ss. 403.088 and 403.067, F.S., to control nutrient load in state waters; authorizing the department to implement its adopted nutrient standards; directing the department to remove rule 62-302.531(9), Florida Administrative Code, when the United States Environmental Protection Agency withdraws all federal numeric nutrient criteria rules in the state; subjecting any numeric nutrient rules for estuaries adopted in 2013 to the provisions of rule 62-302.531(9), Florida Administrative Code, and exempting them from ratification under s. 120.541(3), F.S.; directing the department to establish estuary specific numeric interpretations of the narrative nutrient criterion for total nitrogen, total phosphorus, and chlorophyll a for any estuary not already subject to department numeric nutrient criteria; directing the department to send a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate by August 1, 2013, concerning the status of establishing numeric nutrient criteria in the state; providing an effective date.

—was referred to the Committee on Community Affairs.

SB 1810—Previously referenced.

Senate Resolutions 1812-1814—Not referenced.

By the Committee on Appropriations—

SB 1816—A bill to be entitled An act relating to health care; amending s. 409.811, F.S.; revising and providing definitions; amending s. 409.813, F.S.; revising the components of the Florida Kidcare program; prohibiting a cause of action from arising against the Florida Healthy Kids Corporation for failure to make health services available; amending s. 409.8132, F.S.; revising the eligibility of the Medikids program component; revising the enrollment requirements of the Medikids program component; amending s. 409.8134, F.S.; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility requirements for the Florida Kidcare program; amending s. 409.815, F.S.; revising the minimum health benefits coverage under the Florida Kidcare Act; deleting obsolete provisions; amending ss. 409.816 and 409.8177, F.S.; conforming provisions to changes made by the act; repealing s. 409.817, F.S., relating to the approval of health benefits coverage and financial assistance; repealing s. 409.8175, F.S., relating to delivery of services in rural counties; amending s. 409.818, F.S.; revising the duties of the Department of Children and Families and the Agency for Health Care Administration with regard to the Florida Kidcare Act; deleting the duties of the Department of Health and the Office of In-

insurance Regulation with regard to the Florida Kidcare Act; amending s. 409.820, F.S.; requiring the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, to develop a minimum set of pediatric and adolescent quality assurance and access standards for all program components; amending s. 624.91, F.S.; revising the legislative intent of the Florida Healthy Kids Corporation Act to include the Healthy Florida program; revising participation guidelines for nonsubsidized enrollees in the Healthy Kids program; revising the medical loss ratio requirements for the contracts for the Florida Healthy Kids Corporation; modifying the membership of the Florida Healthy Kids Corporation's board of directors; creating an executive steering committee; requiring additional corporate compliance requirements for the Florida Healthy Kids Corporation; repealing s. 624.915, F.S., relating to the operating fund of the Florida Healthy Kids Corporation; creating s. 624.917, F.S.; creating the Healthy Florida program; providing definitions; providing eligibility and enrollment requirements; authorizing the Florida Healthy Kids Corporation to contract with certain insurers; requiring the corporation to establish a benefits package and a process for payment of services; authorizing the corporation to collect premiums and copayments; requiring the corporation to oversee the Healthy Florida program and to establish a grievance process and integrity process; providing applicability of certain state laws for administration of the Healthy Florida program; requiring the corporation to collect certain data and to submit enrollment reports and interim independent evaluations to the Legislature; providing for expiration of the program; providing an implementation and interpretation clause; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senator Simpson—

CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

By the Committee on Transportation; and Senator Brandes—

CS for SB 1104—A bill to be entitled An act relating to the environment; amending s. 334.044, F.S.; providing an exclusion from provisions that require all plant materials for highway landscaping be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis if prohibited by federal law or regulation; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation

planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; providing an effective date.

By the Committee on Transportation; and Senator Abruzzo—

CS for SB 1342—A bill to be entitled An act relating to traffic control; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; revising notification of violation requirements; providing that initiating a proceeding to challenge the delivery or attempted delivery of the notice of violation or a citation waives any challenge or dispute as to delivery; revising provisions for issuance of a citation; revising provisions for enforcement when a person other than the owner is designated as having care, custody, or control of the motor vehicle at the time of the violation; providing that specified provisions for notice of violation apply to such designated person; providing circumstances under which a reviewing traffic enforcement officer may issue a notice of violation or traffic citation for a red light violation; providing procedures for presentation and authentication of evidence and affirmative defenses relating to a traffic infraction detector or similar unattended device; requiring counties and municipalities with traffic infraction detectors to install certain signs by a specified date; amending s. 316.075, F.S.; requiring traffic control signals to maintain certain signal intervals and display durations based on posted speeds; providing that a citation for specified violations shall be dismissed if the traffic control signal does not meet specified requirements; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Transportation; and Senator Soto—

CS for SB 632—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of certain specialty license plates; providing an effective date.

—was referred to the Committees on Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senators Bean, Gibson, and Simpson—

CS for CS for SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; requiring the Agency for Health Care Administration to contract with a certain not-for-profit corporation to provide services under the federal Program of All-inclusive Care for the Elderly in Alachua and Clay counties; providing an exemption from ch. 641, Florida Statutes, for the corporation; authorizing, subject to appropriation, enrollment slots for the program in such counties; authorizing the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Hernando and Pasco counties; providing an exemption from ch. 641, F.S., for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1192—A bill to be entitled An act relating to the provision of health care with controlled substances; creating ss. 400.996 and 408.833, F.S.; providing that regulation of the licensure, activity, and operation of clinics and health care facilities is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, clinics and health care facilities, except for ordinances regarding local business taxes and land development; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 458.326, F.S.; requiring a physician to consult the prescription drug monitoring program database or designate an agent to consult the database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; amending ss. 458.3265 and 459.0137, F.S.; requiring that owners of pain-management clinics be licensed physicians; removing language regarding nonphysician-owned pain-management clinics; providing that regulation of the licensure and activity of certain physicians and osteopathic physicians is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, physicians and osteopathic physicians, except for ordinances regarding local business taxes and land development; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the board to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that regulation of the licensure, activity, and operation of pharmacies and pharmacists is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies and pharmacists, except for ordinances regarding local business taxes and land development; amending s. 893.055, F.S.; deleting an obsolete provision; authorizing the prescription drug monitoring program to be funded by state funds and pharmaceutical company donations; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; and Appropriations.

By the Committees on Community Affairs; and Ethics and Elections; and Senator Latvala—

CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “election” to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions re-

ceived before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates and political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

| <i>Office and Appointment</i> | | <i>For Term Ending</i> | Referred to the Committees on Education; and Ethics and Elections. | <i>For Term Ending</i> |
|--|---------------------------------------|------------------------|---|------------------------|
| Florida Building Code Administrators and Inspectors Board | | | <i>Office and Appointment</i> | |
| Appointees: | Dudley, Fred R., Havana | 10/31/2016 | Fish and Wildlife Conservation Commission | |
| | Lamas, Orlando, Miami Springs | 10/31/2013 | Appointees: Bergeron, Ronald M., Weston | 08/01/2017 |
| | | | Corbett, Richard A., Tampa | 01/06/2018 |
| Board of Clinical Laboratory Personnel | | | Rivard, Adrien A. III, Panama City Beach | 08/01/2017 |
| Appointees: | Valdes, Linda, Orlando | 10/31/2014 | | |
| | Van Siclen, Carleen P., Jacksonville | 10/31/2015 | Governing Board of the Southwest Florida Water Management District | |
| Florida Commission on Community Service | | | Appointees: Beswick, Bryan K., Arcadia | 03/01/2016 |
| Appointees: | Karlinsky, Autumn, Weston | 09/14/2015 | Bronson, Thomas Edward, Brooksville | 03/01/2016 |
| | Scriven, Charles J., Tallahassee | 09/14/2015 | | |
| Board of Trustees, Edison State College | | | Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections. | |
| Appointee: | Perry, Julia Greene, Moore Haven | 05/31/2016 | <i>Office and Appointment</i> | <i>For Term Ending</i> |
| Board of Trustees, State College of Florida, Manatee-Sarasota | | | Participant Local Government Advisory Council | |
| Appointee: | Hager, Marlen J., Jr., Bradenton | 05/31/2013 | Appointees: Belden, Douglas R., Tampa | 01/12/2017 |
| Board of Trustees, Pensacola State College | | | Heffner, Patsy, Kissimmee | 01/12/2017 |
| Appointee: | Moore, Marjorie T., Pensacola | 05/31/2015 | Lovoy, Amy, Pensacola | 01/12/2017 |
| Board of Massage Therapy | | | Price, Gary B., Jr., Naples | 01/12/2017 |
| Appointee: | Phillips, Sharon L., Winter Haven | 10/31/2013 | Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections. | |
| Board of Physical Therapy Practice | | | <i>Office and Appointment</i> | <i>For Term Ending</i> |
| Appointee: | Quillen, William S., Odessa | 10/31/2014 | Tampa-Hillsborough County Expressway Authority | |
| Board of Pilot Commissioners | | | Appointee: Cassidy, Vincent J., Tampa | 07/01/2016 |
| Appointees: | Frudaker, Richard N., Panama City | 10/31/2016 | Referred to the Committees on Transportation; and Ethics and Elections. | |
| | Trueba, Carlos M., Miami | 10/31/2016 | | |
| Florida Real Estate Appraisal Board | | | CORRECTION AND APPROVAL OF JOURNAL | |
| Appointee: | McKee, Tamara J., Boca Raton | 10/31/2016 | The Journals of March 19 and March 25 were corrected and approved. | |
| Apalachee Regional Planning Council, Region 2 | | | CO-INTRODUCERS | |
| Appointee: | Radford, Dawn E., Eastpoint | 10/01/2015 | Senators Abruzzo—SM 1266, SB 1684; Altman—SM 1266; Bean—SM 1266; Benacquisto—CS for CS for SB 92, SM 1266; Bradley—SM 1266; Brandes—SM 1266; Braynon—SM 1266; Bullard—SB 196; Clemens—SM 1266; Dean—CS for SB 422, SM 1266; Detert—SB 1036, SM 1266; Evers—SM 1266; Gaetz—SM 1266; Galvano—SM 1266; Garcia—CS for SB 872, SM 1266; Gardiner—SM 1266; Gibson—SM 1266; Grimsley—SM 1266; Hays—SB 344, SM 1266; Hukill—SM 1266; Joyner—SM 1266; Latvala—SM 1266; Lee—SM 1266; Legg—SM 1266; Margolis—SM 1266; Montford—SM 1266; Negron—SM 1266; Richter—SM 1266; Ring—SM 1266; Sachs—SB 632, SM 1266; Simmons—SM 1266; Simpson—SM 1266; Smith—SM 1266; Sobel—SM 1266; Soto—SB 144, SB 656; Stargel—SM 1266; Thompson—SM 1266; Thrasher—SM 1266 | |
| Tampa Bay Regional Planning Council, Region 8 | | | | |
| Appointee: | Nunez, Andres E., Jr., St. Petersburg | 10/01/2015 | | |
| Southwest Florida Regional Planning Council, Region 9 | | | | |
| Appointee: | Perry, Thomas C., Jr., Moore Haven | 10/01/2015 | | |
| Big Cypress Basin Board of the South Florida Water Management District | | | | |
| Appointee: | Vaughn, John Wesley, Jr., Naples | 03/01/2016 | | |
| Referred to the Committee on Ethics and Elections. | | | | |
| <i>Office and Appointment</i> | | <i>For Term Ending</i> | | |
| Board of Governors of the State University System | | | | |
| Appointees: | Link, Wendy S., Palm Beach Gardens | 01/06/2020 | | |
| | Tripp, Norman D., Ft. Lauderdale | 01/06/2020 | | |
| Board of Trustees, Florida A & M University | | | | |
| Appointee: | Gilzean, Glenton, Jr., St. Petersburg | 01/06/2018 | | |
| Board of Trustees, Florida Atlantic University | | | | |
| Appointee: | Workman, Thomas, Jr., Boca Raton | 01/06/2018 | | |
| | | | ADJOURNMENT | |
| | | | On motion by Senator Thrasher, the Senate adjourned at 5:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, April 4 or upon call of the President. | |

JOURNAL OF THE SENATE

Daily Numeric Index for March 27, 2013

BA — Bill Action
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report

CS — Committee Substitute, First Reading
FR — First Reading
MO — Motion
RC — Reference Change

| | | | |
|-------------------------------|--|--------------------------------|--|
| CS/SB 56 | (BA) 270, (BA) 271, (CR) 273 | CS/SB 592 | (BA) 263, (CR) 273 |
| CS/SB 60 | (BA) 265, (CR) 273 | SB 628 | (BA) 264, (CR) 273 |
| CS/CS/SB 62 | (BA) 261, (BP) 261 | CS/SB 632 | (RC) 274 |
| CS/CS/SB 92 | (CO) 276 | SB 632 | (CO) 276 |
| CS/SB 94 | (CR) 273 | SB 656 | (CO) 276 |
| CS/SB 118 | (BA) 259 | CS/CS/SB 676 | (CR) 273 |
| CS/CS/SB 120 | (BA) 264, (BA) 265, (CR) 273 | CS/SB 682 | (CS) 274 |
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| CS/SB 138 | (BA) 258, (BA) 259 | CS/CS/SB 718 | (BA) 271, (BA) 272, (CR) 273 |
| SB 144 | (CO) 276 | SB 746 | (BA) 269, (CR) 273 |
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| SB 230 | (BA) 264, (CR) 273 | SB 1036 | (CO) 276 |
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